

<b>NEVADA DEPARTMENT OF CORRECTIONS</b>	<b>SERIES 800 OFFENDER PROGRAMS AND ACTIVITIES</b>	<b>SUPERSEDES: AR 809 (01/21/92 AR 810 (10/13/92) AR 811 (05/02/91) AR 812 (10/13/92) IB 93-34 (05/04/93) AD 59-93 (01/11/93)</b>
<b>ADMINISTRATIVE REGULATIONS MANUAL</b>	<b>ADMINISTRATIVE REGULATION 810 RELIGIOUS AND FAITH GROUP ACTIVITIES AND PROGRAMS TEMP</b>	<b>EFFECTIVE DATE: 06/07/04</b>

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MANDATORY REVIEW DATE: 06/01/05

### **PURPOSE**

To establish Department policy and procedure for inmates to practice their religious and spiritual beliefs through faith groups recognized by the Department and to assist in providing inmates with access to community faith resources.

### **AUTHORITY**

NRS 209.131

## **RESPONSIBILITY**

The practice of religious and Faith Group services in the Department is the responsibility of the Correctional Programs Division and its Chaplains, and the Wardens or their designees, at all institutions within the Department.

## **DEFINITIONS**

**ALLOWABLE NATURAL ITEMS** – Natural items, including herbs, which the Department permits inmates to use during their worship. *See listing in Faith Group Overview.*

**CHAPLAIN** – An ordained or credentialed person employed by the Department to provide religious programming and Faith Group services to inmates in the custody of the Department.

**CLERGY** – A person ordained or credentialed by a religious body to perform pastoral spiritual services for followers of a religious Faith Group.

**COMMUNAL ITEMS BOX** – A box maintained in the chapel or other assigned religious area, in which are kept the approved items for group worship.

**DEPARTMENT** – The Nevada Department of Corrections.

**FAITH GROUP** – A religious or spiritual denomination, sect or organization that is recognized by the Department.

**FAITH GROUP OVERVIEW** – A Department compilation that summarizes the diets, holy days, worship practices, and allowable items (both personal and group) of the various faith groups recognized by the Department. *See attachment to this regulation.*

**RELIGIOUS ACTIVITY** – Any rite, ceremony, event or program that is customarily associated with the practice of a religion or spiritual belief, including but not limited to, services or gatherings of adherents for worship, prayer, teaching and/or sharing.

## **APPLICABILITY**

This regulation applies to all employees, volunteers, and inmates in the custody of the Department.

## **PROCEDURES**

**810.01 OFFENDER ACCESS TO RELIGIOUS OR FAITH GROUP PROGRAMS (3-4459)**

1.1 Inmates have the opportunity to practice their religious or spiritual beliefs, provided that such practices are not defamatory, prejudicial, political, or derisive in nature, and do not advocate or lead to violence or physical harm, or imperil the security of a prison facility.

1.2 Inmates shall have reasonable access to activities that may include, but are not limited to, the following:

- Individual practice of their beliefs.
- Attendance at a religious or worship service to decide if the offender wants to regularly attend and participate with that faith group.
- Regular religious services, ceremonies, and group meetings;
- Special ceremonies and holiday or Holy Day services; and
- Individual and group pastoral counseling and moral instruction (in native language, when possible).

1.3 Inmates may express their religious or spiritual customs and beliefs in appropriate ways that are consistent with facility security, safety, health and order, including:

1.3.1 Fasting or eating a special, recognized religious diet, limited to items that can be purchased from the canteen or the alternative diet provided by the Department. **(3-4300)**

- Food items must be totally consumed at group worship, in the group area, or disposed of afterward; food items may not be taken out of the group area.

1.3.2 Observing certain holidays or Holy Days, including Work Proscription Days (those that require abstinence from work without pay);

1.3.3 Observing religious requirements relating to head and/or facial hair consistent with the Department's rules on offender hygiene and grooming standards;

1.3.4 Wearing approved medals or medallions:

- Medallions not allowed include: Swastika, Iron Cross, Inverted Cross, Inverted 5-point Cross; Thor's Hammer, or any item identified as gang-related or a threat to security.

1.3.5 Using or properly possessing allowable herbs or other natural items for worship, as defined by the Department, except that

- No oils are allowed except regular baby oil sold in the canteen.
- No candles or incense are allowed in individual cells or housing units.
- Candles and incense may be used in the group worship only, as approved by the Chaplain and Warden/designee, and must be maintained in the Communal Group Box or in the custody of staff, as determined by the Warden. The Chaplain and the Warden may approve one person from each Faith Group to order candles or incense for the group service, on a schedule to be set by the Warden/designee; and
- Otherwise approved items may be restricted if the offender is removed from general population to a special unit.

1.4 The Faith Group Overview, which is incorporated by reference herein and made a part of this regulation, sets forth the current recognized faith groups in the Nevada correctional system, and identifies the diet considerations, Holy Days, worship practices and allowable personal and group items which inmates may use in pursuit of their faith.

1.4.1 Copies of the Faith Group Overview may be provided to employees, inmates, volunteers or others seeking information on the Department's religious regulations.

1.4.2 Inmates will initially, at Intake into the Department, complete the Faith Group Affiliation Declaration Form DOC-3503. They may change affiliation only once a year thereafter.

- This form shall be used by the Department to determine the religious service needs of the inmates and the proportionate representation in a given Faith Group, to assist the Chaplains in obtaining volunteers and presenting the services inmates need.
- This form shall be maintained in an offender's Institutional ("I") file.

1.4.3 There shall be no discrimination against any offender, and no unfavorable treatment with regard to any decision involving an offender's program access, work assignment or other matter, based on an offender's religious preference or affiliation.

1.5 All inmates will have access to a Chaplain, or other approved Faith Group volunteers, upon request. **(3-4460)**

1.6 Visitation by Faith Group personnel to inmates in segregation will be allowed, subject to the

security needs of the facility. **(3-4241, 3-4261, and 3-4457)**

1.6.1 Staff Chaplains will have access to all areas of a facility and are expected to routinely visit inmates in special units, the infirmary, and segregated housing.

1.6.2 Non-staff clergy or Faith Group volunteers must receive approval from the Warden, through the Chaplain, for authorization to enter a special unit, infirmary, or segregated housing area.

1.7 Inmates' religious mail will be treated the same as regular mail, in accordance with Departmental Administrative Regulation 750, and will not be subject to any additional restrictions by virtue of its religious nature.

1.8 Inmates may receive and retain religious literature, materials, or books about religion or spiritual teachings, in accordance with Departmental Administrative Regulations 711 and 750.

1.9 Inmates may request to participate in religious activities.

1.9.1 An inmate desiring to participate in a religious activity that is currently available in the facility where the offender is incarcerated may obtain information about the scheduled activity by submitting a written request to the facility Chaplain or AWP, or may simply attend a service, subject to the security restrictions of that institution.

1.9.2 An inmate desiring to participate in a Faith Group not currently recognized by the Department may request recognition by the Department by submitting to the Supervising Chaplain, through the facility Chaplain or Warden's designee, a written request identifying the name of the Faith Group and the activity requested, and a brief description of the activity, including:

- The significance of the activity in the practice of the Faith Group;
- How often or under what circumstances the activity would be held if it were taking place within the community;
- Minimum time and any physical requirements for conducting the activity;
- Any materials that are required for the activity and their purpose or use, including a list of any items associated with the faith group that the offender would retain in his or her personal possession;
- Any eligibility requirements within the faith group for participating in the particular activity;
- Any additional information necessary to obtain an understanding of the nature or function of the faith group activity; and

- The name, address and phone number of a recognized representative of the faith group who can verify the above information.

1.9.2 The Supervising Chaplain shall deliver the request and supporting items to the

Department's Correctional Programs Administrator. A final decision whether or not to recognize that Faith Group will be conveyed by the Correctional Programs Administrator through the Supervising Chaplain to the Warden/designee and to the offender making the request, within sixty-days (60) of the inmate's submission of all of the required information.

- A denial of such a request may be pursued through the Inmate Grievance process.

1.9.3 When a religious leader of an inmate's faith is not represented in the institution's

Chaplaincy, staff or volunteers, the chaplain will assist the inmate in contacting a person in the community who has the appropriate credentials to minister to the inmate. **(3-4461)**

## **810.2 RECRUITMENT AND APPROVAL OF FAITH GROUP VOLUNTEERS AND CLERGY (3-4458)**

1.1 The Warden's designee and the Chaplain will review the institution's faith group activities

on a regular basis to assure that services or activities are available to meet the needs of the offender population, and will determine any need to recruit representatives of faith groups not previously involved in the facility.

1.2 Volunteers must submit an application Form DOC-3504) and authorize a criminal history background check by the Department Form DOC-1021, in accordance with the Department's Administrative Regulation 802.

1.3 Approved Volunteers must complete the Department's Volunteer Orientation Training

Program offered by the Department's EEO/Employee Development Division and Chaplains, before entering an institution/ facility, and must repeat the training once every three years thereafter.

1.4 Volunteers must sign the State of Nevada's Memorandum of Understanding—Volunteer in

State Service Form DOC-013 and pay an annual fee of \$5 to cover the costs of insurance.

1.5 All Volunteers are subject to search of their person and property before entering and/or leaving any Department institution/facility.

1.6 Volunteers representing a Faith Group at a facility may not also be approved on any inmate's Visitor's List at that same facility.

1.7 Volunteers should never meet behind locked doors with an inmate. Volunteers must avoid all appearances of impropriety and all situations in which they might be compromised.

### **810.03 AUTHORIZED FAITH GROUP ITEMS**

1.1 Approved Faith Group or religious emblems, medallions, symbols or other personal or group items authorized for inmates to possess in a Department facility must be purchased through the institution/facility canteen, or from vendors approved by the Department.

1.2 Inmates may obtain religious reading and study materials from a Chaplain, or from a Volunteer, upon obtaining prior approval from the Chaplain or the AWP.

1.3 Reasonable, accessible, secure and separate storage space for Faith Groups to store their authorized objects or materials will be provided by the facility upon request to the Chaplain or AWP, subject to the space limitations of the facility. This shall be called a Communal Items Box.

1.4 Upon approval by the Supervising Chaplain, Faith Groups may utilize liturgical vestments, altar dressings, musical instruments, audio and video equipment for presentations and study, and other approved items in their prison services.

- Inmates may not wear liturgical vestments.

1.5 All areas of Faith Group activities, storage units, or equipment, and religious items, including religious items maintained in inmates' cells, are subject to search by Department staff.

- Such searches will be conducted in a manner that reflects an awareness of, and sensitivity to, individual Faith Group beliefs and practices, and a respect for the objects or symbols of religious practice.
- When possible, the Chaplain will be present during searches of areas designated for faith group activities and services.

### **810.04 CHAPLAINCY SERVICES (3-4456)**

1.1 All Chaplains dually report to the Correctional Programs Administrator , through the

Supervising Chaplain, and to the Warden of the institution/facility to which the Chaplain is assigned.

1.2 The Warden may designate the AWP of the institution/facility to supervise the Chaplain in the day-to-day religious services.

1.3 The Chaplain will assist all inmates in the practice of their beliefs by conducting services, providing pastoral care, conducting marriage ceremonies, and counseling inmates.

1.4 Chaplains have the responsibility for initiating faith group programs, submitting reports, and supervising religious clerks and volunteers.

1.5 Chaplains must attend, at a minimum, the Department's Non-custody basic Orientation Basic (NCB) training program on security issues and working with inmates, before they begin providing services in an institution/facility.

1.6 Chaplains must have a verified pastoral education or training in the theology or tenets of their religious organization or Faith Group, and must possess a current and valid ordination or endorsement from the certifying body of that organization or Faith Group. **(3-4454)**

1.6.1 Chaplains must remain in good standing with their religious organization or Faith Group and retain their ordination status or endorsement to represent their religion in providing pastoral services.

1.6.2 To preserve this status, Chaplains will be authorized to attend, and be granted approved administrative leave to attend necessary events of their religious organization or Faith Group.

1.7 Chaplains will maintain communications with community faith resources in order to promote inmates' interaction with members of the local faith community. Chaplains shall assure equal status and protection for all religions and Faith Groups. **(3-4458)**

1.8 With the approval of the Warden or designee, Chaplains may develop training opportunities for non-staff clergy or volunteers when it is determined that such training programs may provide a helpful supplement to the religious activities of the inmates and a training experience or advantage to the persons being trained.

1.9 Chaplains may employ inmates as religious clerks to provide assistance to the Chaplain.



1.9.1 No favoritism may be shown in selecting inmates to serve as religious clerks.

1.9.2 Selection of religious clerks will be reviewed and made pursuant to the institutional classification process.

1.9.3 Other than regular payment which may be authorized by the Warden through the Inmate Welfare Fund, no other form of compensation, monetary or otherwise, shall be given to inmates serving as religious clerks. Nothing requires a Warden to authorize compensation for such clerks and this regulation creates no right or entitlement to compensation.

1.9.4 A Chaplain or Volunteer should never meet or remain behind locked doors with an inmate.

- Chaplains must avoid all appearances of impropriety and all situations in which they might be compromised, while still maintaining the confidentiality and privilege of information provided to a pastor by a penitent.

1.10 In coordination with the AWP, the Chaplain is authorized to solicit, approve and accept donations of equipment or materials for use in religious programs or services, according to the Department's policy regarding donations. **(3-4463)**

- No religious donations for the Department maybe given directly to an offender or religious clerk.

1.11 A schedule for the use of the chapel will be prepared by the Chaplain and approved by the Warden/designee. **(3-4462)**

1.11.1 If a chapel is not available, the Warden/designee, will designate an area for religious activities in an available area that meets the security needs of the facility.

1.11.2 In scheduling designated religious activities, the Chaplain will seek to accommodate Faith Groups, including those that call for particular times, and calendar or lunar dates for specific services or ceremonies.

1.11.3 The Warden/designee will ensure that sufficient time is scheduled in the facility for religious purposes.

1.11.4 While no faith group is to be favored over another, those serving the largest number of inmates in an institution/facility shall be assured access and accommodated with space and scheduling adequate to serve the needs of the large groups of inmates practicing that religion or belief.

1.12 The Chaplain will attend regular staff meetings held by the Warden or the facility manager.

## **810.05 WORSHIP SERVICES**

1.1.1 Faith Group worship services are permitted under the leadership of inmates or volunteers, when available.

1.1.2 Special services may be scheduled to meet a Faith Group's needs or to recognize special observations or holidays or Holy Days.

1.2.1 Activities will be coordinated through the Chaplain and Warden/designee.

1.2.2 The Warden shall approve all special activities.

1.2.3 Dietary accommodations will be limited to the alternative diet provided by the Department, or other items that can be purchased from the canteen.

1.2.4 Inmates whose religious expression includes smoke-producing substances (e.g. tobacco, allowable herbs, sweet grass) may be authorized to burn small amounts of these substances, during their group worship services. However, this will not be authorized in individual cells, or any other parts of the unit as part of an approved religious activity, and in a manner consistent with institution/facility security, safety, health and order.

1.2.5 Inmates assigned to special housing may be authorized to participate in an approved religious activity in a manner consistent with facility security, safety, health and order.

- An inmate assigned to special segregated housing will not be permitted to participate in group religious activities with other inmates.

1.3. During religious services in an institution/facility, approved clergy or volunteers may wear their liturgical vestments and/or insignia, and may bring into the facility the religious texts, ceremonial materials, liturgical items, study materials, and audio or video materials or equipment needed to conduct their worship services.

1.4 Upon verification by the Chaplain, Faith Groups employing wine in their services may bring

into a Department institution/facility no more than 2-3 ounces of wine for sacramental purposes.

1.4.1 Wine for sacramental purposes must remain in the possession of the clergy at all times while on institution/facility grounds.

1.4.2 Any unused portion of the wine must be removed from the institution/facility immediately after the service.

1.4.3 No intinction (dipping) of wine is allowed.

1.4.4 Under no circumstances are inmates allowed to partake of the sacramental wine.

1.5 Religious services will not be conducted outside the designated areas without the prior approval of the Chaplain or Warden/designee

1.6 No herbs or natural items, other than those on the Faith Group Overview, may be brought into a Department institution or used in a religious service or activity.

- Possession of unauthorized herbs or natural items by an inmate is grounds for discipline, pursuant to the Department's Code of Penal Discipline.

1.7 Inmates may not possess religious items other than those listed on the Faith Group Overview.

Possession of unauthorized religious items by an inmate is grounds for discipline, pursuant to the Code of Penal Discipline.

## **REFERENCES**

ACA Standards 3-4241; 3-4261; 3-4300; 3-4395; 3-4454 through 3-4463

## **ATTACHMENTS**

Faith Group Overview

Volunteer Application Form, DOC-3504

Criminal History Background Consent Form, DOC-1021

Memorandum of Understanding—Volunteer in State Service, DOC-013

Faith Group Affiliation Declaration Form, DOC-3503

\_\_\_\_\_  
Jackie Crawford, Director

\_\_\_\_\_  
Date

**CONFIDENTIAL**

        
Yes

XX  
No

**THIS PROCEDURE SUPERSEDES ALL PRIOR WRITTEN PROCEDURES ON THIS SPECIFIC SUBJECT.**